

Prepared By and  
Return To: William F. Hagan  
Post Office Box 679  
Hernando, MS. 38632  
(601) 429-9048

Dec 6 3 21 PM '95

ROBERT L. KOGLER, ET UX,

Grantors

TO

DANNY S. CARTER, ET UX,

Grantees

EASEMENT

BK 293 PG 601  
W.E. DAVIS CH. CLK.

By: W.F. Hagan

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, We, ROBERT L. KOGLER and wife, CHRISTINE KOGLER, do hereby grant, convey, and sell to DANNY S. CARTER and wife, LINDA C. CARTER, their successors, assigns, and/or transferees, an easement for ingress and egress upon that certain real property lying and being situated in DeSoto County, Mississippi, and being more particularly described as follows:

A part of the Northeast and Southeast Quarters of the Northwest Quarter of Section 16, Township 3 South, Range 8 West, DeSoto County, Mississippi, and being more particularly identified as an easement thirty feet (30') in width centered along an existing black top road and driveway on the east side of that certain tract or parcel described as 25 acres, more or less, in the Northwest Quarter of Section 16, Township 3 South, Range 8 West, DeSoto County, Mississippi, described as beginning at a point 50 feet South of the Northeast corner of the Northwest Quarter of said Section 16 in the South line of Highway 304; thence South 6° 00' East 1,846.17 feet to an iron pin in the Northeast corner of the 10 acres conveyed to Danny S. Carter, et ux, by Deed in Book 139, Page 31; thence with Carter's North line South 84° 30' West 577.50 feet to an iron pin in Carter's Northwest corner; thence North 6° 00' West 1,851.38 feet to an iron pin in the South right-of-way of said Highway; thence with the South line of said Highway North 85° 01' East 577.50 feet to the Point Of Beginning.

As part of the consideration herein, the parties hereto do hereby covenant and agree as follows: that the use of said blacktop road and driveway shall be joint and mutual by and between the parties hereto, their successors and/or assigns; that the maintenance and upkeep of said blacktop road and driveway shall be shared mutually and jointly by and between the parties hereto, their heirs and/or assigns; that the previous easement as conveyed and described by and in Deed of record in Deed Book 139, Page 31, of the records of DeSoto County, Mississippi, shall be,

and is hereby, declared null and void, except that in the event the easement as granted herein shall be declared null and void, then, and in such event, said previous easement shall be reinstated; as pertains to Grantees herein, their successors and/or assigns, that this easement is intended for the use and benefit solely as a driveway for a one-family residence located and situated on the said Carter 10 acre tract, and shall not be used by subdivided property owners of said 10 acre tract in the event of any partition or subdivision thereof; that neither party hereto shall impede the use of said easement; and that the Easement granted herein shall become null and void in the event of failure or refusal to abide by and adhere to any and all of the covenants herein contained on the part of Grantees, their heirs and/or assigns, and that Grantees herein do hereby join in the execution of this instrument to witness their agreement to and acceptance of said covenants.

Grantors warrant that this easements as described is free of any lien or encumbrance.

Witness our signatures, this the 6<sup>th</sup> day of ~~November~~ <sup>December</sup>, 1995.

Robert L. Kogler  
ROBERT L. KOGLER  
Danny S. Carter  
DANNY S. CARTER

Christine Kogler  
CHRISTINE KOGLER  
Linda C. Carter  
LINDA C. CARTER

Mr. and Mrs. R. L. Kogler  
2811 Elm Drive  
Hernando, MS. 38632  
Home: (601) 429-4917  
Work: (n/a)

Mr. and Mrs. D. S. Carter  
3613 Highway 304  
Hernando, MS. 38632  
Home: (601) 429-9646  
Work: (601) 895-7575

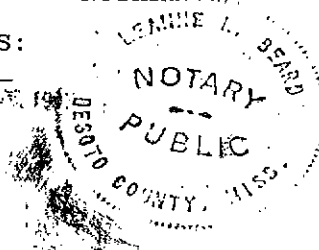
STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named ROBERT L. KOGLER and wife, CHRISTINE KOGLER, who each acknowledged that they signed and delivered the above and foregoing EASEMENT as their free and voluntary act and deed on the day and date mentioned therein and for the purposes therein expressed.

Given under my hand and official seal of office, this the 6 day of ~~November~~ <sup>December</sup>, 1995.

Leanne L. Beard  
NOTARY PUBLIC

MY COMMISSION EXPIRES:



STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named DANNY S. CARTER and wife, LINDA C. CARTER, who each acknowledged that they signed and delivered the above and foregoing EASEMENT as their free and voluntary act and deed on the day and date mentioned therein and for the purposes therein expressed.

Given under my hand and official seal of office, this the 6 day of December, 1995.

*Samuel L. Beards*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

